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असाधारण

EXTRAORDINARY

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PART II—Section 2

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bills were introduced in Lok Sabha on the 4th August, 1972:—

BILL No. 65 OF 1972

A Bill to provide for the formation of an Authority for the purpose of setting up an atomic power plant in Bihar and for matters connected therewith.

BE it enacted by Parliament in the Twenty-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Bihar Atomic Authority Act, 1972. Short title and commencement.
- (2) It shall come into force at once.

2. There shall be set up an Authority to be known as the Bihar Atomic Authority which shall consist of the following eleven members— Setting up of Bihar Atomic Authority

- (a) eight competent scientists, four to be nominated by the Bihar Government and four by the Central Government;
- (b) the Prime Minister of India *ex-officio*;
- (c) the Chief Minister of Bihar *ex-officio* or in his absence the Governor of Bihar; and

(d) one member to be nominated by the Central Government in consultation with the State Government who shall be the Director of the Authority.

**Emolu-
ments of
members
of the
Authority.** 3. Except the Prime Minister of India and the Chief Minister or the Governor of Bihar, as the case may be, the members of the Authority shall be paid monthly salaries not exceeding two thousand rupees.

**Functions
of the
Authority.** 4. The function of the Authority shall be to set up an atomic power plant near Jaduguda in Hazaribagh district of Bihar where uranium is produced or at any other place in Bihar, as the members of the Authority may decide, with a view to produce atomic power for the benefit of Bihar and neighbouring States and to carry on further nuclear research.

**Mode of
decision
of
the Autho-
rity.** 5. The decisions of the Authority shall be arrived at by a majority of the Members present and voting but in case of tie the Chairman of the meeting shall have a casting vote.

STATEMENT OF OBJECTS AND REASONS

The State of Bihar is the richest mineral area in India and one of the richest areas in the world in nuclear raw materials. The Jaduguda area in Hazaribagh district is the richest uranium reservoir in the world. But despite this, it would be a great injustice done to Bihar if it is deprived of its right to have an atomic power plant of its own.

Hence the Bill provides for establishing an organisation, called the Bihar Atomic Authority, which will proceed with the steps for setting up an atomic power plant in Bihar and for carrying out further intensive nuclear research.

NEW DELHI.

S. M. BANERJEE.

FINANCIAL MEMORANDUM

Clause 2 of the Bill seeks to set up the Bihar Atomic Authority. Clause 3 provides for payment of Salaries to the members of the Authority. Clause 4 seeks to set up an atomic power plant. It is estimated that a sum of Rs. 10 crores will be required from the Consolidated Fund of India to set up the authority and the atomic power plant. A sum of not more than one crore per year will be required for meeting the recurring expenditure.

BILL No. 63 OF 1972

A Bill to provide for abolition of caste system and to put a ban on expression of caste after the name

BE it enacted by Parliament in the Twenty-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Caste System (Abolition) Act, 1972.
(2) It extends to the whole of India.
(3) It shall come into force six months after the date on which it receives the assent of the President.
2. The Caste system is hereby abolished.
3. It shall be unlawful for any Government, authority or person to require a person, who is a citizen of India, to declare his caste in any form, statutory or non-statutory, official or non-official.

Short
title,
extent and
commence
ment.

Abolition
of caste
system.

Declara-
tion of
caste as
unlawful.

Prohibition of mentioning Caste after name.

4. No person shall mention his caste after his name, either in writing or in speech.

Prohibition on calling a person by his caste.

5. No person shall call another person by his caste or mention another person's caste while communicating with him in writing or in speech.

Compelling persons to act contrary to provisions.

6. No person shall compel any other person to act in a manner contrary to the provisions of sections 3, 4 and 5 of this Act.

Penalty.

7. Any person who acts in contravention of the provisions of this Act, shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to one hundred rupees, or with both.

Publicity to be given by the Central Government.

8. (1) The Central Government shall give effective and regular and publicity to the provisions of this Act for a period of ten years from the commencement of this Act.

(2) The publicity shall be made through various official and non-official mass publicity mediae including newspapers, magazines, radio, television and cinema.

STATEMENT OF OBJECTS AND REASONS

In the preamble to the Constitution of India, the people have resolved, *inter alia*, to secure to themselves justice, social, economic and political; equality of status and dignity of individual. But the caste system in India has betrayed this noble resolve. In order to make citizens' equality a reality, the human mind will have to liberate itself from this obsolete concept. Casteism has embittered man and man relationship in our society.

The concept of casteism and the practice of tracing one's social status from his caste is a reactionary and fossilized concept. Such reactionary attitudes will have to be discarded completely if the egalitarian principles of the Constitution are to inform and elevate our social life.

Hence this Bill.

YAMUNA PRASAD MANDAL.

NEW DELHI;

The 4th May, 1972.

FINANCIAL MEMORANDUM

Clause 8 of the Bill provides for publicity of the provisions of this Act. It will involve an annual recurring expenditure of about ten lakh rupees from the Consolidated Fund of India.

No non-recurring expenditure is likely to be involved.

BILL No. 68 OF 1972

A Bill further to amend the Constitution of India

BE it enacted by Parliament in the Twenty-third Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Amendment) Act, 1972. Short title.
2. In the Ninth Schedule to the Constitution, after entry 66 and Amend-
before the *explanation*, the following entry shall be inserted, namely:— ment of
Ninth
Schedule.
“67 The Kerala Private Forests (Vesting and Assignment) Act, 1971 (Kerala Act 26 of 1971).”.

STATEMENT OF OBJECTS AND REASONS

The nationalisation of private forests in Malabar and the remaining areas in the State of Kerala has been one of the most popular slogans of the peasants and agricultural labourers' movement in Kerala which was supported by the entire progressive forces there.

Private forests in Malabar which are about five thousand square kilometres of highly fertile land, most of which are cultivable, were owned by a handful of feudal chieftains and princely families who formed the backbone of feudalism in Kerala.

Kerala cannot visualise to have a meaningful land reform without the nationalisation of these private forest lands. In Kerala to-day, the Government is vigorously implementing the Kerala Land Reforms Act, 1963 (Kerala Act 1 of 1964) which is a very radical land reforms Act. Parliament has given Constitutional protection to this Act and other Kerala land reform Acts by including them in the Ninth Schedule to the Constitution.

It was as a part of the same land reform movement that the Kerala Legislature had enacted the Kerala Private Forests (Vesting and Assignment) Act, 1971 (Act 26 of 1971). As happened in the case of the aforesaid Kerala land reforms Acts, this Act also had been challenged in the High Court by the land lords and other interested parties. The High Court has now held this Act as unconstitutional and void.

This verdict of the Court will constitute a very serious set-back to the implementation of the land reform measures in Kerala.

The need of the hour is to constitutionally protect this Act by including it in the Ninth Schedule to the Constitution. Only such a step can ensure the successful implementation of land reforms in Kerala.

Hence this Bill.

NEW DELHI;
The 23rd June, 1972.

C. K. CHANDRAPPAN.

BILL No. 70 OF 1972

A Bill further to amend the Constitution of India

BE it enacted by Parliament in the Twenty-third Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Amendment) Act, 1972. Short
title.
2. In the Ninth Schedule to the Constitution, after entry 66 and before the *Explanation*, the following entry shall be inserted, namely:— Amend-
ment of
Ninth
Schedule.

“67. Sections 48, 49, 53, 56, 58 and 63 of the Kerala University Act, 1969 (Kerala Act 9 of 1969).”.

STATEMENT OF OBJECTS AND REASONS

It is a fact that a large majority of educational institutions in Kerala are under the control of powerful and notorious corporate managements who are running these institutions in a most scandalous manner. The grip of these managements on university education is much more because of the fact that an overwhelming majority of the colleges in that State are owned by them.

In these colleges the appointment of the teachers are done at the sweet will of these managements in a corrupt manner, the service conditions are very poor. The students are admitted after squeezing out good amounts from them in the name of donations. Comparing to the tuition fees in the government colleges, the fees charged by the managements are exorbitantly higher. Over and above this, they charge large amounts as special fees on flimsy grounds.

The Kerala University Act, 1969 (Kerala Act 9 of 1969), while visualising other reforms in the University, had made an attempt to control these managements in a small way. As they were not ready to accept even a small control over them, they challenged the Act in the court of law and got a verdict in their favour.

This has emboldened the managements who think that they are in a position to block any educational reform. It happened in the past too. The private school and college managements in Kerala used to play the game of politics, with all reactionary and vested interests on their side, to topple the ministries which had tried to bring about educational reforms in Kerala. They always tried to block democratisation and reform of education in Kerala and have become a stumbling block in the way of achieving social progress.

Recently, when the Kerala Government had decided to bring down the fees in private colleges to the level of government colleges, the managements decided to close down their institutions. Last year, when the teachers demanded a fair deal and the government agreed with the teachers, these managements had resorted to closure again. Closure of educational institutions and taking education into a ransom have become a dirty political weapon in the hands of corporate managements in Kerala, who often want to engineer political crisis in Kerala, if any government made an attempt to bring about educational reforms.

It is absolutely essential to put an end to this black-mailing tactics. The Kerala University Act, 1969, would have given some powers to the government for doing this. But the relevant clauses have been struck down by the court.

This Bill seeks constitutional protection to those provisions of the Kerala University Act, 1969, which have been struck down by the Supreme Court by including them in the Ninth Schedule to the Constitution.

NEW DELHI;
The 30th June, 1972.

C. K. CHANDRAPPAN.

S. L. SHAKDHER,
Secretary.